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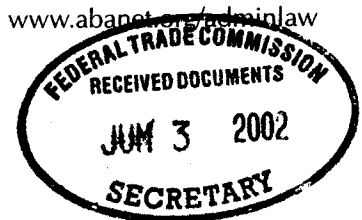
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May 31, 2002

Secretary  
Federal Trade Commission  
Washington DC 20580

Re: Information Quality

Dear Mr. Secretary:

The Section of Administrative Law & Regulatory Practice of the American Bar Association is pleased to submit comments on the proposed guidance for data quality that your agency has proposed under Section 515 of Public Law 106-554. The views expressed herein are presented on behalf of the Section of Administrative Law and Regulatory Practice. They have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and, accordingly, should not be construed as representing the position of the Association.

These comments will be focused upon the mechanisms proposed for implementation of section 515's "correction of information that does not comply with (OMB guidance)". In commenting on the mechanisms we hope to improve them; these comments do not suggest that any of the substantive missions of the agency discussed in your published proposal would or would not have our Section's support. Because many of the nation's experts in the administrative process and information policy are members of our Section, we hope to speak to the process and procedural aspects of the proposed guidelines.

Item XI (F) seems to diverge from the OMB Guidelines. Rulemaking can consume many years of FTC effort and the purport of (F) is that no correction would be allowed during all that time. The second sentence suggests that all five Commissioners would need to vote on the correction issue; this may be better clarified and some delegation of authority substituted for this sentence.

In V-B, the exclusion of item 7 from the "dissemination" category seems far broader than the OMB guidelines would permit. The fact that a staff report may be filed in a matter does not mean that the information is not being "disseminated" for purposes of section 515.

The last sentence of item V-H could benefit from clarification of what the Commission means. The OMB Guidelines must be followed as Section 515 mandates and this seems to be divergent from OMB.

Thank you for considering these comments. If you wish clarification of any portions, please contact Professor Thomas Arthur, Chair of the Committee on Antitrust & Trade Regulation, at (404) 727-5792.

Sincerely,

C. Boyden Gray  
Section Chair